

REMARKS:

Claims 2-5 have been canceled.

Claim 1 is currently being amended.

New claims 6 and 7 have been added.

Remarks

Claim Rejections - 35 U.S.C. § 101

Claim 1 stands rejected under 35 U.S.C. § 101 because it is asserted that the claim recited an abstract idea and is therefore ineligible subject matter. Claim 1 has been amended in order to obviate the rejection.

Claim Rejections - 35 U.S.C. § 103

Claim 1 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Leung et al (US 7,010,808 B1), in view of Thomas et al. (US 2002/0042920 A1) and further in view of Matsuda et al. (2004/0148260 A1). Applicant discusses below the reasons why the combination of Leung, Thomas et al. and Matsuda et al., even assuming arguendo, these references may be properly combined, would not render the present claims unpatentable.

The object of Leung is to provide a mark for the digital content of a portable storage device or of a digital rights management (DRM) device. Such devices are completely unrelated to the present invention which is a method for creating and transmitting an electronic certificate so that the transferee of goods can immediately determine the genuineness of the goods. The electronic certificate so created may thereafter be transmitted to a subsequent transferee of the goods. Among other things, Leung does not

disclose the creation of an identification code and secret code for an electronic certificate. Nor does Leung disclose the creation of such codes wherein the codes are produced by an audio tag, visual tag or RFID tag. In addition, Leung does not teach the use of any authentication/management server as recited in the present claims, or of the use of a character image in the electronic certificate, also as recited in the present claims.

So, too, Thomas et al., is directed to a completely different invention than the present invention. Thomas et al. relates to a system for adding (supplying) media on demand and a method thereof. Among other things, Thomas does not disclose or suggest the use of any authentication/management server or a character image in the electronic certificate.

Further, Matsuda et al., like Leung and Thomas et al., is directed to a completely different invention than the present invention. Matsuda et al. relates to an information treatment system for readily detecting counterfeit products, but this is different from the method of creating and transmitting an electronic certificate to determine the genuineness of a transferred goods as recited in the present claims. There is no teaching or suggestion in Matsuda et al. of any authentication/management server and Matsuda et al. employs picture data and not character images as presently claimed.

For all the foregoing reasons, it is respectfully submitted that the present claims are patentable over any combination of Leung, Thomas et al. and Matsuda et al.

Accordingly, the application and claims are believed to be in condition for allowance, and favorable action is respectfully requested.

No new matter has been added.

If any issues remain, the Examiner is respectfully invited to contact the undersigned

at the number below, to advance the application to allowance.

Respectfully submitted,

/PETER C. MICHALOS/

Peter C. Michalos

Reg. No. 28,643

Attorney for Applicant

(845) 359-7700

Dated: May 31, 2011

NOTARO, MICHALOS & ZACCARIA P.C.

100 Dutch Hill Road

Orangeburg, New York 10962

Customer No. 21706

M:\PAT-AMD\J323-053\J323-053US-Amd2.wpd